

BOARD APPROVED 7/8/2008
Kentucky Board of Home Inspectors
101 Sea Hero Road, Suite 100
Frankfort, Kentucky 40601-5405

Ray Sandbek, Chairman
Ralph Wirth, Vice Chairman

Board Meeting
June 10, 2008
9:00 am

Minutes

Board Members Attending:

Ralph Wirth, Vice Chairman
Jo Gawthrop
D. Michael Green

Michael Patton
Linda L. Swearingen
William J. Welty Sr.

Members Absent

Ray Sandbek, Chairman
Richard W. Flora

Staff Attending:

George E. Mann, DHBC, Deputy Commissioner
Laura Lynn Best, Budget Advisor
Mike Bennett, Staff Attorney

Dawna D. King, BCE

Guest Attending

Don Gaines, A-Pass Weikel Institute
Carolyn Quisenberry, A-Pass Weikel Institute

Meeting Called to Order

Mr. Wirth called the meeting to order. Mr. Wirth introduced Mr. George E. Mann, Deputy Commissioner to replace Terry M. Slade.

Reviewed and discussed previous minutes. Mr. Patton made the motion to approve minutes. Mr. Welty seconded the motion. Motion carried, all concurred.

New Business

Mr. Green stated that he would resume being the Chairman for the Compliance Review Committee for the board's Complaint Procedure.

Laura Lynn Best, Budget Advisor discussed the Board's budget. Mr. Patton requested that the board members receive the board's budget once a month. More detailed discussion on the budget. Mr. Patton made the motion that Ms. Best put together a Budget Format for the board members to review. Mr. Welty seconded the motion. Motion carried, all concurred.

Mr. Mike Bennett, Staff Attorney made the board aware of the 13B Hearing for Mr. Brian Smallwood. Mr. Smallwood appealed the board's denial of his application. Mr. Welty made the motion that Mr. Wirth will represent the board at this 13B Hearing. Ms. Gawthrop seconded the motion. Motion carried, all concurred.

Briefly discussed Renewal Fees. Mr. Green made the motion that the board set up an installment payment plan for Renewals due to the economic pressures. Mr. Wirth suggested that this be discussed after the board gets a Budget Report.

Discussed home inspector Complaint HIC#08-01-25-01. This complaint has pending litigation. Mr. Green made the motion to send a letter to the Complainant letting them know that the board cannot complete the review while this complaint is pending litigation. Mrs. Swearingen seconded the motion. Motion carried, all concurred. Complaint HIC#07-11-30-02 will go back to the CRC committee for a recommendation. Mr. Welty made the motion that this complaint will go back to the CRC committee for a recommendation. Mr. Green seconded the motion. Motion carried, all concurred.

Mr. Green submitted a proposed Uniformed Code of Sanctions for disciplinary action for home inspectors. It is proposed that the board create a two-class system (Class A or Class B) of providing sanctions for violations of the laws and regulations governing Licensed Home Inspectors. This system will provide sanctions uniformly based upon the history and severity of the violation.

Reviewed HI-2333 Terry R. Rothman Sr. request to extend his renewal due to the fact that he had a heart attack April 2, 2008 and was hospitalized. Mr. Rothman was scheduled to take his continuing education courses for his May renewal April 23rd and 24th with A-Pass Weikel Institute. Mr. Rothman failed to submit his renewal application therefore the board could not grant this extension because the board does not have the authority to grant and extension. Mr. Rothman's renewal date was May 31, 2008. Therefore, Mr. Rothman's license is expired.

Reviewed renewals for the month of May. HI-2271 Seth N. Adkins, Barboursville, WV; HI-2408 Scott H. Campbell, Hebron, KY; HI-2320 Michael R. Cronin, Newport, KY; HI-2407 William R. Drum, Lexington, KY; HI-2136 Richard B. Eckleberry, Murray, KY; HI-2228 James D. Lohman, Burna, KY; HI-2331 Brian C. Moss, Louisville, KY; HI-2392 Benjamin K. Runyon, Lexington, KY; HI-2252 Roger Thompson, Ashland, KY and HI-2170 Kevin M. Zeiler, Louisville, KY did not renew for the month of May. Mr. Welty made the motion to send the formal expiration letter. Ms. Gawthrop seconded the motion. Motion carried, all concurred.

Review new home inspector applications. Patrick S. Thompson, Stamping Ground, KY was approved. Mrs. Swearingen made the motion to approve this applicant. Mr. Green seconded the motion. Motion carried, all concurred. Applications submitted with missing/lacking information. Daniel R. Cooper, Demossville, KY; Eric M. Doran, Louisville, KY and David W. McCoy, Louisville, KY were approved contingent upon submitting lacking information. Mrs. Swearingen made the motion to approve these applicants contingent upon submitting the lacking information. Mr. Green seconded the motion. Motion carried, all concurred.

Discussed letter Dawn Bellis, General Counsel sent to Lee B. Harris, General Counsel, Kentucky Real Estate Commission in response to the "Drafted Mutual Release of Contract". In these proposed documents there is a provision wherein the Buyer agrees to allow the Seller to have a copy of the inspection report performed on the subject property. There are two obvious and potential results of providing the home inspector's report to a Seller as part of a mutual release of contract both of which unfairly expose home inspectors to liability.

Reviewed a Continuing Education Course Provider Application from Kentucky Crawl Space. Discussion. The application was not complete. Mr. Green made the motion to deny this course because the application was not complete. They need completed application and a Synopsis. Discussion. Mrs. Swearingen seconded the motion. Motion carried.

Discussed HI-2393 Jeff K. Schaeffer, Louisa, KY. Mr. Schaeffer submitted his renewal application with an unacceptable home inspection report. Mr. Green made the motion to send a deficiency letter requesting a correct home inspection report under the National Association of Certified Home Inspectors (NACHI) Standards of Practice which he noted he was under. Ms. Gawthrop seconded the motion. Motion carried, all concurred.

Discussed updated changes to the proposed Kentucky Standards of Practice. Detailed discussion.

Adjournment

Mr. Welty made the motion to adjourn the meeting. Mr. Green seconded the motion. Motion carried, all concurred. Next meeting is scheduled for July 8, 2008, 9:00 am at the Department of Housing, Buildings & Construction, 101 Sea Hero Road, Suite 100, Frankfort, Kentucky 40601-5405.